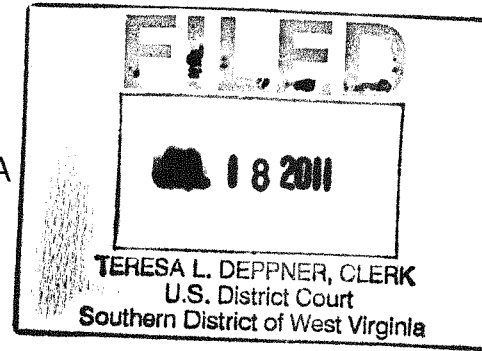


UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF WEST VIRGINIA
Charleston, West Virginia



United States of America,
Plaintiff,

v

Civil Action No.: 2-cv-1087
Judge John Copenhaver

\$88,029.08, more or less,
in United States currency.

Katherine A. Hoover MD and
John F. Tomasic, interested parties,
no pending criminal charges.


REQUEST FOR AN ORDER RETURNING \$27,671.50
WITH PREJUDICE

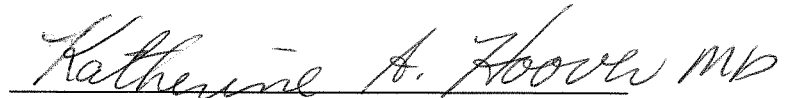
NOW COME John F. Tomasic and Katherine A. Hoover MD, pro se, and request that the Court issue an Order to immediately return the balance of WesBanco Savings Account xxxx3002 because there is no issue of fact regarding this money.

AUSA Betty Pullin admitted in her pleading UNITED STATES MOTION TO DISMISS COMPLAINT that "the United States respectfully moves the court for an order dismissing this forfeiture action and directing the United States Marshal's Service to return the seized currency." The Motion to Dismiss was filed on April 8, 2011, but no Order has been forthcoming from the Court. This is another demonstration of the bias on the part of Magistrate Judge Mary Stanley.

WHEREFORE, the interested parties request that an Order be issued immediately for the return of \$27,671.50 with prejudice and that the record will reflect that the Court has taken greater than 120 days to issue this Order in violation of 28 USC S 2465 Return of Property.


Respectfully submitted,


John F. Tomasic


Katherine A. Hoover MD

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing REQUEST FOR THE RETURN OF \$27,671.50 WITH PREJUDICE has been faxed to AUSA Betty Pullin at 304-347-5104 on July 15, 2011.


Katherine A. Hoover MD

875458717468

Extremely Urg

FedEx
ExpFedEx International Air Waybill
Express

1 From
Date 7/15/11 Sender's FedEx Account Number
Sender's Name Katherine Hoover Phone 242-322-11
Company C/O Dr. Norman Gay
Address West Bay Medical Clinic
Address West Bay St.
City Nassau State Province N.P.
Country Bahamas ZIP Postal Code

2 To
Recipient's Name Teresa Deppner Phone 304-347-30
Company U.S. District Clerk
Address 300 Virginia St. Dept./Floor
Address Suite 2000
City Charleston State Province WV
Country USA ZIP Postal Code 25301
Recipient's Tax ID Number for Customs Purposes
e.g., GST/RFC/VAT/IN/EN/ABN, or as locally required.

3 Shipment Information ☐ For EU Only: To where if goods are not in free circulation and provide C.I.
Total Packages 1 Total Weight 0.5 lbs. kg DIM L W H in. cm
Commodity Description Doc. Harmonized Code Country of Manufacture Value for Customs
Has EEI been filed in AES? ☐ No EEI required, value \$2,500 or less per Sch. B Number. ☐ No EEI required, enter exemption number: ☐ Yes - Enter AES proof of filing citation:
For U.S. Export Only Check One ☐ No EEI required, value \$2,500 or less per Sch. B Number. ☐ No license required (NLR), not subject to ITAR. ☐ If other than NLR, enter License Exception:
Total Declared Value for Carriage Total Value for Customs (Specify Currency) LC

Insert shipping document. ▼

393377 N1AX 04/15/2006/FS56/18C2

Insure document is completely covered by pouch. ▲

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TRK# 8754 5871 7468
0402INTL PRIORITY CL
25301
HTS
A2

XH CRWA

TRK# 8754 5871 7468
0402INTL PRIORITY
25301
HTS

Emp# 468798 15JUL11 MASA 58C22/FS56/180C